UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,382	02/20/2004	David A. Matthews	MS1-2014US	6418

22801   7590   10/17/2007

LEE & HAYES PLLC
421 W RIVERSIDE AVENUE SUITE 500
SPOKANE, WA 99201

EXAMINER
BELOUSOV, ANDREY

ART UNIT	PAPER NUMBER
2174	

MAIL DATE	DELIVERY MODE
10/17/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/783,382	MATTHEWS ET AL.
	Examiner	Art Unit	
	Andrew Belousov	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 July 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-65* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>5/18/2007</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

This action is in response to the amendment and response of July 5, 2007. Claims 1-65

are pending and have been considered below.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claim 1, 25, 48 and 49 rejected under 35 U.S.C. 102(b) as being anticipated by

<u>Apple</u> (Mac OS X Version 10.1, Apple Computer Inc. Copyright 1983-2001.)

Claim 1, 25, 48, 49: <u>Apple</u> discloses a user interface for enhancing a computing

session by providing seamless continuity when a user logs onto the computing system,

the user interface comprising:

    a. a logon page which is displayed to the user prior to logging onto the computing

       system, the logon page including a user-identifiable indicator corresponding to

       the user, wherein the user-identifiable indicator is associated with a selectable

       logon control on the logon page (Fig. 2, 3); and

    b. a user interface start page (Fig. 5: 52) displayed in response to user selection of

       the selectable logon control via the logon page (Fig. 4, 5),

c. the user interface start page displayed to the user after a first transition (Fig. 4)

from the logon page but prior to a second transition to a desktop page (Fig. 4, 5),

d. wherein the user interface start page (Fig. 5: 52) and the desktop page (Fig. 6)

each include the user-identifiable indicator corresponding to the user (Fig. 5: 50),

e. wherein the user-identifiable indicator is displayed uninterrupted throughout the

first transition (Fig. 3, 4, 5: 50) and throughout the second transition (Fig. 5: 50) ,

and

f. wherein the user interface start page further includes user selectable controls

(Fig. 5: 58) from one or more regions (Fig. 5: 56) of the desktop page (Fig. 5: 54,

56) which is displayed after the second transition,

g. each of the user selectable controls configured to initiate a display of information

(Fig. 5: 58: Favorites, Applications, Computer, etc.) associated with the user

when selected.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claim 2, 4, 9, 10, 14-21, 26, 28, 33, 34, 38-45, 50, 52, 57, 58 and 60-63 are

rejected under 35 U.S.C. 103(a) as being unpatentable over <u>Apple</u> (Mac OS X Version

10.1, Apple Computer Inc. Copyright 1983-2001) in view of <u>Andy Rathbone</u>, (Windows

® XP for Dummies®.)

Claim 2, 26, 50: <u>Apple</u> discloses a user interface as recited in claim 1. However <u>Apple</u>

does not disclose wherein the user interface start page further comprises a start control

configured to initiate that multiple application programs start together at approximately a

same time after the transition to the desktop page. <u>Rathbone</u> discloses a similar user

interface start page wherein the user interface start page further comprises a start

control configured to initiate that multiple application programs start together at

approximately a same time after the transition to the desktop page (start control: "start-

up folder" page 169; "transition to desktop page": from the logon screen, after logging

in: Fig. 4-1.) Therefore it would have been obvious to one having ordinary skill in the art

at the time the invention was made to combine the start up folder, as taught by

<u>Rathbone</u>, into the user interface start page, as disclosed by <u>Apple</u>. One would have

been motivated to include the start up folder of <u>Rathbone</u> into <u>Apple</u> as such a feature

was recognized as part of the ordinary capabilities of one skilled in the art, and which

has become a oft expected feature of operating system interfaces.

Claim 4, 28, 52: <u>Apple</u> discloses a user interface as recited in claim 1. <u>Rathbone</u> further

discloses wherein the user interface start page further comprises a start control

configured to initiate that a group of application programs start together at

approximately a same time after the transition to the desktop page, the group of

application programs including application programs often selected for use by the user

(start control: "start-up folder" page 169; The apps in the start-up folder being apps that

are often selected ("oft-used", page 168, 169) for use by the user. "Transition to desktop

page" - from the logon screen, after logging in: Fig. 4-1.)

Claim 9, 33, 57: Apple discloses a user interface as recited in claim 1. Rathbone further

discloses wherein the user interface start page further comprises a logoff control

configured for user-selection to logoff the computing system and initiate a transition to a

logon page that includes one or more selectable logon controls that each correspond to

a different user of the computing system (logoff control: Fig. 4-3; transition to Welcome

screen: page 73; Fig. 4-1.)

Claim 10, 34, 58: Apple discloses a user interface as recited in claim 1. Rathbone

further discloses wherein the user interface start page further comprises a settings

change control configured for user-selection to change display settings of the user

interface start page (page 276: Control panel -> Appearance and Themes -> Start

Menu.)

Claim 14: Apple discloses a user interface as recited in claim 1. Rathbone further

discloses wherein the user-selectable controls of the user interface start page include a

list of resources that each correspond to at least one of (i) a resource recently accessed

by the user and (ii) a resource designated for user-selection from the user interface start

page (Page 167: resources: applications, recently accessed and designated for

selection from start page ("pinned".))

Claim 60: <u>Apple</u> discloses one or more computer readable media as recited in claim 49.

<u>Rathbone</u> further discloses further comprising computer executable instructions that,

when executed, direct the computing device to display the user-selectable controls to

include a list of resources that are each associated with the user (Page 167: resources:

applications, recently accessed and designated for selection from start page ("pinned".))

Claim 15, 38: <u>Apple</u> discloses a user interface as recited in claim 1. <u>Rathbone</u> further

discloses wherein the user-selectable controls of the user interface start page include a

list of resources that each correspond to a resource recently accessed by the user, and

wherein a resource is initiated for display when the corresponding user-selectable

control is selected and after the transition to the desktop page (Page 167: resources:

applications, recently accessed, can be loaded (initiated for display) by clicking on it:

page 166.)

Claim 16, 39: <u>Apple</u> discloses a user interface as recited in claim 1. <u>Rathbone</u> further

discloses wherein the user-selectable controls of the user interface start page include a

list of resources that each correspond to a resource designated for user-selection from

the user interface start page, and wherein a resource is initiated for display when the

corresponding user-selectable control is selected and after the transition to the desktop

page (Page 167: resources: applications, designated for selection from start page

("pinned".) Can be loaded (initiated for display) by clicking on it: page 166.)

Claim 17, 40, 41: Apple discloses a user interface as recited in claim 1. Rathbone

further discloses wherein the user-selectable controls of the user interface start page

include a list of documents that each correspond to at least one of (i) a document

recently accessed by the user (page 166, list of docs: My Documents, recently

accessed) and (ii) a document designated for user-selection from the user interface

start page (page 166, list of docs: My Documents, saved (designated for user-selection)

files.)

Claim 61: Apple discloses one or more computer readable media as recited in claim 49.

Rathbone further discloses further comprising computer executable instructions that,

when executed, direct the computing device to display the user-selectable controls to

include a list of documents that are each associated with the user (page 166, list of

docs: My Documents, associated: recently accessed / saved.)

Claim 18, 42, 43: Apple discloses a user interface as recited in claim 1. Rathbone

further discloses wherein the user-selectable controls of the user interface start page

include a list of directory locations that each correspond to at least one of (i) a directory

location recently selected for use by the user (page 165, My Documents, My Pictures,

My Music, etc., recently accessed by the user) and (ii) a directory location designated

for user-selection from the user interface start page (page 165, My Documents, My

Pictures, My Music, etc., designated by the authors of Windows® for user-selection)

Claim 62: Apple discloses one or more computer readable media as recited in claim 49.

Rathbone further discloses further comprising computer executable instructions that,

when executed, direct the computing device to display the user-selectable controls to

include a list of directory locations that are each associated with the user (page 165,

directory locations: My Documents, My Pictures, My Music, etc., include respective to

type, user saved files.)

Claim 19: Apple discloses a user interface as recited in claim 1. Rathbone further

discloses wherein the user-selectable controls of the user interface start page include a

list of application programs that each correspond to at least one of (i) an application

program recently selected for use by the user and (ii) an application program

designated for user-selection from the user interface start page (Page 167: applications,

recently accessed and designated for selection from start page ("pinned".))

Claim 63: Apple discloses one or more computer readable media as recited in claim 49.

Rathbone further discloses further comprising computer executable instructions that,

when executed, direct the computing device to display the user-selectable controls to

include a list of application programs that are each associated with the user (Page 167:

applications, recently accessed and designated (i.e. associated) for selection from start page ("pinned".))

Claim 20, 44: <u>Apple</u> discloses a user interface as recited in claim 1. <u>Rathbone</u> further discloses wherein the user-selectable controls of the user interface start page include a list of application programs that each correspond to an application program recently selected for use by the user, and wherein an application program is initiated when the corresponding user-selectable control is selected and after the transition to the desktop page (Page 167: applications, recently accessed, can be loaded (initiated for display) by clicking on it: page 166.)

Claim 21, 45: <u>Apple</u> discloses a user interface as recited in claim 1. <u>Rathbone</u> further discloses wherein the user-selectable controls of the user interface start page include a list of application programs that each correspond to an application program designated for user-selection from the user interface start page, and wherein an application program is initiated when the corresponding user-selectable control is selected and after the transition to the desktop page (Page 167: applications, designated for selection from start page ("pinned".) Can be loaded (initiated for display) by clicking on it: page 166.)

5.   Claims 3, 5, 6, 7, 8, 23, 24, 27, 29, 30, 31, 32, 47, 51, 53, 54, 55, 56 and 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over <u>Apple</u> in view of <u>Rathbone</u>.

Claim 3, 27, 51: <u>Apple</u> discloses a user interface as recited in claim 1. <u>Rathbone</u> further

discloses wherein the user interface start page further comprises a start control ("start-

up folder," page 168) configured to initiate that a group of application programs start

together at approximately a same time after the transition to the desktop page (from

logon screen after logging in, Fig. 4-1.) While, <u>Rathbone</u> does not disclose that the

group of application programs includes application programs executing when a previous

computing session was discontinued, it would have been obvious to one having

ordinary skill in the art at the time the invention was made to implement the start-up

folder to execute a group of application programs when a previous computing session

was discontinued. One would have been motivated to initiate previous session

application programs, so as to allow a user a seamless transition to previously

interrupted task encompassed over a number of application programs.

Claim 5, 29, 53: <u>Apple</u> discloses a user interface as recited in claim 1. <u>Rathbone</u> further

discloses wherein the user interface start page further comprises a start control ("start-

up folder," page 168) configured to initiate that a group of application programs start

together at approximately a same time after the transition to the desktop page (from

logon screen after logging in, Fig. 4-1.) While, <u>Rathbone</u> does not disclose that the

group of application programs includes application programs recently selected for use

by the user, it would have been obvious to one having ordinary skill in the art at the time

the invention was made to implement the start-up folder to execute a group of

application programs recently selected for use by the user. One would have been

motivated to initiate recently selected application programs so as to seamlessly pick up the task that may have been interrupted.

Claim 6, 30, 54: <u>Apple</u> discloses a user interface as recited in claim 1. <u>Rathbone</u> further discloses wherein the user interface start page further comprises a time-based display of information (time, "4:29 PM") corresponding to an environment ("time-zone") associated with the user (page 159.) While <u>Rathbone</u> does not disclose that the time-based display of information is incorporated on the user interface start page specifically, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the time-based display (visible and readily accessible in the lower right of the desktop as disclosed in <u>Rathbone</u>) to the user interface start page. One would have been motivated to include the display of time on the user interface start page so as to incorporate the frequently used and referenced information all in one place.

Claim 7, 31, 55: <u>Apple</u> discloses a user interface as recited in claim 1. <u>Rathbone</u> further discloses wherein the user interface start page further comprises a date-based display of information (page 159, date (by hovering over the clock,) e.g. "Tuesday, February 27, 2007") corresponding to an environment ("time-zone") associated with the user. While <u>Rathbone</u> does not disclose that the date-based display of information is incorporated on the user interface start page specifically, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the date-based

display (readily accessible in the lower right of the desktop as disclosed in <u>Rathbone</u>) to the user interface start page. One would have been motivated to include the display of the date on the user interface start page so as to incorporate the frequently used and referenced information all in one place.

Claim 8, 32, 56: <u>Apple</u> discloses a user interface as recited in claim 1. <u>Rathbone</u> further discloses wherein the user interface start page further comprises a date-based user-selectable control (page 159, date (by hovering over the clock,) e.g. "Tuesday, February 27, 2007") corresponding to an application program (Windows XP time/date change program) associated with the user. While <u>Rathbone</u> does not disclose that the date-based control is incorporated on the user interface start page specifically, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the date-based control (readily accessible in the lower right of the desktop as disclosed in <u>Rathbone</u>) to the user interface start page. One would have been motivated to include the display of the date on the user interface start page so as to incorporate the frequently used and referenced information all in one place.

Claim 23, 47, 65: <u>Apple</u> discloses a user interface as recited in claim 1. <u>Rathbone</u> further discloses wherein the user selectable controls of the user interface start page include a list of e-mail notifications that each correspond to an e-mail received after a previous computing session was discontinued. <u>Rathbone</u> further discloses the use of Outlook Express® which shows user-selectable controls that include a list of e-mail

notifications that each correspond to an e-mail received after a previous computing

session was discontinued. While <u>Rathbone</u> does not disclose the combination of

Windows XP® user interface start page with the user selectable controls that include a

list of e-mail notifications that each correspond to an e-mail received after a previous

computing session was discontinued (Fig. 12-10: list of received emails,) in Outlook

Express, it would have been obvious to one having ordinary skill in the art at the time

the invention was made to combine the Outlook Express e-mail notification listing to the

Windows XP interface start page. One would have been motivated to include e-mail

notification list in the user interface start page as per similar suggested use in Outlook

Express (page 233, Fig. 12-9, notification of unread Mail at the Welcome screen that

each person has received) so as to incorporate this frequently used and referenced

information all in one place.

Claim 24: <u>Apple</u> discloses a user interface as recited in claim 1. <u>Rathbone</u> further

discloses wherein the user selectable controls of the user interface start page include a

list of e-mail notifications that each correspond to an e-mail received after a previous

computing session was discontinued, and wherein an e-mail is configured to be

displayed when the corresponding e-mail notification is selected and after the transition

to the desktop page. <u>Rathbone</u> further discloses the use of Outlook Express® which

shows user-selectable controls that include a list of e-mail notifications that each

correspond to an e-mail received after a previous computing session was discontinued,

and wherein an e-mail is configured to be displayed when the corresponding e-mail

notification is selected and after the transition to the desktop page. While <u>Rathbone</u>

does not disclose the combination of Windows XP® user interface start page with the

user selectable controls that include a list of e-mail notifications that each correspond to

an e-mail received after a previous computing session was discontinued (Fig. 12-10: list

of received emails,) and wherein an e-mail is configured to be displayed when the

corresponding e-mail notification is selected (clicked to read the new message) and

after the transition to the desktop page (transition from Logon screen to desktop page,

Fig. 4-1), in Outlook Express, it would have been obvious to one having ordinary skill in

the art at the time the invention was made to combine the Outlook Express selectable e-

mail notification listing to the Windows XP interface start page. One would have been

motivated to include the selectable e-mail notification list in the user interface start page

as per similar suggested use in Outlook Express (page 233, Fig. 12-9, notification of

unread Mail at the Welcome screen that each person has received) so as to incorporate

this frequently used and referenced information all in one place.

6.   Claims 11, 12, 13, 35, 36, 37 and 59 are rejected under 35 U.S.C. 103(a) as

being unpatentable over <u>Apple</u> in view of <u>Ricart</u>, (The Complete Idiot's Guide® to Linux,

Second Edition.)

Claim 11, 35, 59: <u>Apple</u> discloses a user interface as recited in claim 1. However, <u>Apple</u>

does not explicitly disclose wherein the user interface start page further comprises a

desktop selection control configured for user-selection to select from one or more

desktop pages each corresponding to the user and each having a unique display

configuration. Ricart, discloses a similar user interface start page including a desktop

selection control ("virtual desktop buttons") configured for user-selection to select from

one or more desktop pages ("virtual desktops") each corresponding to the user and

each having a unique display configuration (page 67, "Different desktops have different

color backgrounds to help you tell them apart.") Therefore, it would have been obvious

to one having ordinary skill in the art at the time the invention was made to include the

desktop page selection control to Apple. One would have been motivated to include a

desktop page selection control, as per Ricart disclosure, as part of the user interface

start page so as to "perform different tasks that require you to run various groups of

applications at the same time" (page 66, Ricart.)

Claim 12, 36: Apple discloses a user interface as recited in claim 1. However, Apple

does not explicitly disclose wherein the user interface start page further comprises a

desktop selection control configured for user-selection to select from one or more

desktop pages each corresponding to the user and each having a unique display

configuration of any of the one or more regions of the desktop page. Ricart, discloses a

similar user interface start page including a desktop selection control ("virtual desktop

buttons," page 67) configured for user-selection to select from one or more desktop

pages ("virtual desktops," page 67) each corresponding to the user and each having a

unique display configuration (page 67, "Different desktops have different color

backgrounds to help you tell them apart") of any of the one or more regions of the

desktop page ("background" region.) Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include the desktop page selection control to Apple. One would have been motivated to include a desktop page selection control, as per Ricart disclosure, as part of the user interface start page so as to "perform different tasks that require you to run various groups of applications at the same time" (page 66, Ricart.)

Claim 13, 37: Apple discloses a user interface as recited in claim 1. However Apple does not explicitly disclose wherein the user interface start page further comprises a desktop selection control configured for user-selection to select from one or more desktop pages that include at least one of a work environment desktop, a home environment desktop, a weekend activities desktop, and a weekday activities desktop. Ricart, discloses a similar user interface start page including a desktop selection control ("virtual desktop buttons," page 67) configured for user-selection to select from one or more desktop pages ("virtual desktops," page 67) pages that can be named anything the user wants (page 71,) including naming them as "work," "home," "weekend," or "weekday". The Examiner considers it immaterial as to how the desktop pages ("virtual desktops") are named, and that it would have been obvious to one having ordinary skill in the art at the time the invention was made to have a "work," "home," "weekend," or "weekday" titled desktop page by default, instead of "one," "two," "three," or "four." Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include the desktop page selection control from Ricart to

Apple. One would have been motivated to include a desktop page selection control, as per Ricart disclosure, as part of the user interface start page so as to "perform different tasks that require you to run various groups of applications at the same time" (page 66, Ricart) while at the same time allowing for intuitively named desktop pages to appropriately correspond to the various groups of applications.

7.   Claims 22, 46 and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Apple in view of Grebler, ("Lindows Fast & Easy".)

Claim 22, 46, 64: Apple discloses a user interface as recited in claim 1. However, Apple does not explicitly disclose wherein the user-selectable controls of the user interface start page include a list of on-line users that each correspond to a particular user selected for display notification when the particular user is on-line. Grebler discloses an open source operating system including a free Instant Messenger software with user-selectable controls that include a list of on-line users ("buddies") that each correspond to a particular user selected for display notification when the particular user is on-line (page 1, "Only buddies that are online will show up in the Buddy List.) Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include the desktop page selection control from Grebler to Apple. One would have been motivated to include the online user notification list so as to incorporate this frequently used and immediately sought after information all in one readily available place.

Response to Arguments

Examiner's rejections with respect to 35 U.S.C. 101 and claim objections are withdrawn in light of the amendments to the claims on July 31, 2007.

Applicant's arguments with respect to claim 1-65 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Belousov whose telephone number is (571) 270-1695. The examiner can normally be reached on Mon-Fri (alternate Fri off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven P. Sax can be reached on (571) 272-4072. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AB   /Steven P. Sax/
October 12, 2007   Steven P. Sax